

**PLANNING & ZONING COMMISSION**

**City Council Chambers  
800 Game Farm Road, Yorkville, IL  
Wednesday, August 14, 2019 7:00pm**

**Meeting Called to Order**

Chairman Jeff Olson called the meeting to order at 7:00pm, roll was called and a quorum was established.

**Roll Call:**

Rusty Hyett-yes, Don Marcum-yes, Jeff Olson-yes, Danny Williams-yes

Absent: Deborah Horaz, Richard Vinyard

**City Staff**

Krysti Barksdale-Noble, Community Development Director  
Jason Engberg, Senior Planner  
Pete Ratosh, Code Official

**Other Guests**

Christine Vitosh, Vitosh Reporting Service	Scott Pritchett, Gas N Wash
Lynn Dubajic, City Consultant	Lyman Tieman, Gas N Wash
Brian Hartz, Gas N Wash	Greg Galgan, Gas N Wash
Kevin McEnery, Gas N Wash	Mark W. Schoppe
Katie Finlon, <i>Kendall County Record</i>	

**Previous Meeting Minutes** July 10, 2019

The minutes were approved as presented on a motion and second by Commissioners Williams and Hyett, respectively.

Roll call: Hyett-yes, Marcum-abstain, Olson-yes, Williams-yes Carried 3 yes, 1 abstain

**Citizen's Comments** None

**Public Hearings**

Chairman Olson explained the procedure for the Hearings and swore in those who would speak. At approximately 7:03pm a motion was made and seconded by Mr. Williams and Mr. Hyett, respectively, to open the Hearings.

Roll call: Marcum-yes, Olson-yes, Williams-yes, Hyett-yes. Carried 4-0.

Chairman Olson read each of the Public Hearings as follows:

- 1. PZC 2019-16** The United City of Yorkville, Kendall County, Illinois, petitioner, is proposing to amend Title 8, Chapter 2: Building Codes of the Municipal Code for the purpose of adopting the 2018 International Code Council series, inclusive of the International Fuel Gas Code (IFGC), International Plumbing Code (IPC),

International Mechanical Code (IMC), International Property Maintenance Code (IPMC), International Fire Code (IFC), International Residential Code (IRC), International Building Code (IBC), International Existing Building Code (IEBC), Illinois Energy Conservation Code (IECC), International Swimming Pool and Spa Code (ISPSC), 2014 Illinois State Plumbing Code, Illinois State Accessibility Code and the 2017 National Electric Code (NEC).

2. **PZC 2019-19** Leonard McEnery, on behalf of Lenny's Gas N Wash, LLC, petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting special use permit approval for a gasoline service station with accessory convenience store and ancillary car wash. Additionally, the petitioner is seeking sign variance approval to increase the maximum sign area for a monument sign in a business district from 64 square feet to 107 square feet. The property is zoned B-3 General Business District and is located at the northeast corner of the State Route 47 Waterpark Way intersection.

*(See Court Reporter Transcripts)*

*(Responses to Standards for Case #PZC2019-19 Lenny's Gas N Wash to be entered into public record)*

The Hearings were closed at approximately 7:25 pm on a motion by Mr. Marcum and second by Mr. Williams.

Roll call: Olson-yes, Williams-yes, Hyett-yes, Marcum-yes, Carried 4-0.

### **Unfinished Business**

1. **PZC 2019-17** Margaret LeGrand, petitioner, has filed applications with the United City of Yorkville, Kendall County, Illinois, requesting rezoning classification and bulk regulation variance approval for the property located at 701 N. Bridge Street. The petitioner is requesting rezoning approval from B-1 Local Commerce Business District to R-2 Single-Family Traditional Residence District. Additionally, the petitioner is requesting a variance approval for minimum lot size, lot coverage, and front yard setback requirements within the R-2 Single-Family Traditional Residence District to allow the existing dwelling to remain on the property.

Due to an error at the previous PZC meeting, the lot coverage motion was misread. The correct motion is being read at this meeting and voted on for the official record.

Mr. Engberg noted that a separate motion sheet will be provided in the future to make it easier to find the proper motion.

### **Action Item**

#### **Variance Request**

A motion was made by Mr. Williams to approve the request and seconded by Mr. Hyett. *Motion read by Mr. Williams:* In consideration of testimony presented during a Public Hearing on July 10, 2019 and approval of the findings of fact, the Planning and Zoning Commission recommends approval to the City Council of a request to vary the maximum

lot coverage for the R-2 District contained in Section 10-7-1 of the United City of Yorkville Zoning Code from 45 percent to 48 percent as stated in the staff memorandum dated July 1, 2019.

Roll call: Williams-yes, Hyett-yes, Marcum-yes, Olson-yes. Carried 4-0.

### **New Business**

#### **1. PZC 2019-16 Amend Building Codes** (Description under Public Hearings)

Ms. Noble and Mr. Olson thanked Mr. Ratos for an outstanding job on this update. Mr. Ratos also created a website for other suggested changes and questions. He said he had requests for changes in the air conditioning code, however, it was decided not to make changes at this time.

#### **Action Item**

A motion was made by Mr. Williams to amend the Building Codes as presented and it was seconded by Mr. Hyett. *Motion read by Mr. Williams:* In consideration of testimony presented during a Public Hearing on August 14, 2019 and discussions conducted at that meeting, the Planning and Zoning Commission recommends approval to the City Council a request to adopt the proposed 2018 series of International Codes, the Illinois State Accessibility Code, the 2014 Illinois State Plumbing Code, and the 2017 National Electric Code as summarized in a staff memorandum dated July 30, 2019.

Roll call: Williams-yes, Hyett-yes, Marcum-yes, Olson-yes. Carried 4-0.

#### **2. PZC 2019-19 Lenny's Gas N Wash** (Description under Public Hearings)

Mr. Engberg reviewed the various requirements and their request for a 40% larger sign, which staff supports. Mr. Engberg also said the plans for lighting, truck turning ability and landscaping need to be adjusted slightly as conditions of the Special Use. He said overall the project is compatible with the Comprehensive Plan. He reviewed the comments made at the previous Economic Development Committee meeting and said the project must comply with all the comments from EEI and for the landscaping. Final plat approval is also being requested.

Chairman Olson reviewed the Findings of Fact for the Special Use and Ms. Noble added that a dormant SSA would be required. He also read the Findings of Fact for the Sign Variance.

#### **Action Item**

##### **Special Use for Fuel/Gasoline Service Station**

Commissioners Williams and Marcum moved and seconded, respectively, to approve the Special Use. *Motion read by Mr. Williams:* In consideration of testimony presented during a Public Hearing on August 14, 2019 and approval of the findings of fact, the Planning and Zoning Commission recommends approval to the City Council of a request for Special Use authorization for a fuel/gasoline service station with accessory car wash to be located at the northeast corner of State Route 47 and Waterpark Way subject to the conditions enumerated in a staff memorandum dated August 7, 2019.

Roll call: Hyett-yes, Marcum-yes, Olson-yes, Williams-yes. Carried 4-0.

### **Action Item**

#### **Sign Variance Request**

Mr. Marcum and Mr. Williams moved and seconded, respectively, to approve the sign variance. *Motion read by Mr. Williams:* In consideration of testimony presented during a Public Hearing on August 14, 2019 and approval of the findings of fact, the Planning and Zoning Commission recommends approval of a request to vary the sign regulations contained in Section 10-20-9-A of the United City of Yorkville Zoning Ordinance to permit a free standing monument sign in a business district to be larger than 64 square feet in sign area subject to the conditions enumerated in a staff memorandum dated August 7, 2019

Roll call: Marcum-yes, Olson-yes, Williams-yes, Hyett-yes. Carried 4-0.

### **Action Item**

#### **Final Plat Approval**

Mr. Williams moved and Mr. Hyett seconded a motion to recommend approval of the Final Plat. *Motion read by Mr. Hyett:* The Planning and Zoning Commission recommends approval to the City Council of a request for Final Plat of Subdivision of the Lenny's Gas N Wash in Yorkville subject to final engineering approval as enumerated in a letter from Engineering Enterprise Incorporated dated June 9, 2019 and August 7, 2019 and subject to the conditions enumerated in a staff memorandum dated August 7, 2019.

Roll call: Olson-yes, Williams-yes, Hyett-yes, Marcum-yes Carried 4-0.

### **Additional Business**

#### **1. City Council Action Updates**

Mr. Engberg noted petitions approved by City Council since the last PZC meeting.

Chairman Olson also inquired about the status of the landscaping contractor north of Bristol from a previous PZC meeting. He has since moved to the Fox Industrial Park. He was actually in the County territory and the PZC reviewed his request as a 1.5 Mile Review. He has a special use from the County for the mulch.

### **Adjournment**

There was no further business and the meeting was adjourned at 7:58pm on a motion by Mr. Williams and second by Mr. Hyett. Unanimous voice vote approval.

Respectfully submitted by Marlys Young, Minute Taker

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5 UNITED CITY OF YORKVILLE

6 YORKVILLE, ILLINOIS

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9 PLANNING AND ZONING COMMISSION

10 PUBLIC HEARING

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16 800 Game Farm Road

17 Yorkville, Illinois

18  
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20  
21 Wednesday, August 14, 2019

22 7:00 p.m.

23  
24  
*Vitosh Reporting Service*

815.993.2832 cms.vitosh@gmail.com

1       PRESENT:

2               Mr. Jeff Olson, Chairman,

3               Mr. Donald Marcum,

4               Mr. Danny Williams,

5               Mr. Rusty Hyett.

6  
7       ALSO PRESENT:

8               Ms. Krysti Barksdale-Noble, Community  
9               Development Director;

10              Mr. Jason Engberg, Senior Planner,

11              Ms. Marlys Young, Minute Taker,

12              Mr. Pete Ratos, Building Code Official.

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1 (WHEREUPON, the following  
2 proceedings were had in  
3 public hearing:)

4 CHAIRMAN OLSON: There are two public  
5 hearings scheduled for tonight's Planning and  
6 Zoning Commission meeting.

7 The purpose of this hearing is to  
8 invite testimony from members of the public  
9 regarding the proposed request that is being  
10 considered before the Commission tonight.

11 Public testimony from persons  
12 present who wish to speak may be for or against  
13 the request or to ask questions of the petitioner  
14 regarding the request being heard.

15 Those persons wishing to testify are  
16 asked to speak clearly, one at a time, and state  
17 your name and who you represent at the podium.  
18 You are also asked to sign in at the podium, or I  
19 saw the sign-in sheet going around already.

20 If you plan to speak tonight during  
21 the public hearing as a petitioner or a member of  
22 the public, please stand now, raise your right  
23 hand, and repeat after me.

24 (Witnesses sworn.)

1 CHAIRMAN OLSON: Thank you.

2 The order for receiving testimony  
3 tonight during the public hearing will be as  
4 follows: First, the petitioner presentations;  
5 second, those who wish to speak in favor of the  
6 request; and third, those who wish to speak in  
7 opposition of the request.

8 May I please have a motion to open  
9 the public hearing on Petition number PZC  
10 2019-16, United City of Yorkville, International  
11 Code Adoption, and PZC 2019-19, Lenny's Gas N  
12 Wash special use?

13 MR. WILLIAMS: Moved.

14 MR. HYETT: Second.

15 CHAIRMAN OLSON: Roll call vote on the  
16 motion, please.

17 MS. YOUNG: Yes. Marcum.

18 MR. MARCUM: Yes.

19 MS. YOUNG: Olson.

20 CHAIRMAN OLSON: Yes.

21 MS. YOUNG: Williams.

22 MR. WILLIAMS: Yes.

23 MS. YOUNG: Hyett.

24 MR. HYETT: Yes.

1 CHAIRMAN OLSON: Public hearings up for  
2 discussion tonight are the following: PZC  
3 2019-16, United City of Yorkville, Kendall  
4 County, Illinois, petitioner, is proposing to  
5 amend Title 8, Chapter 2, Building Codes of the  
6 Municipal Code for the purpose of adoption of the  
7 2019 International Code Council Series, inclusive  
8 of -- it's a long list here -- the International  
9 Fuel Gas Code, the International Plumbing Code,  
10 International Mechanical Code, International  
11 Property Maintenance Code, International Fire  
12 Code, International Residential Code,  
13 International Building Code, International  
14 Existing Building Code, International -- I'm  
15 sorry, Illinois Energy Conservation Code,  
16 International Swimming Pool and Spa Code, 2014  
17 Illinois State Plumbing Code, Illinois State  
18 Accessibility Code, and the 2017 National  
19 Electric Code.

20 The second public hearing tonight is  
21 PZC 2019-19, Leonard McEnery, I believe, on  
22 behalf of the Lenny's Gas N Wash, LLC,  
23 petitioner, has filed an application with the  
24 United City of Yorkville, Kendall County,

1 Illinois, requesting special use permit approval  
2 for a gasoline service station with accessory  
3 convenience store and ancillary car wash.

4 Additionally, the petitioner is  
5 seeking sign variance approval to include the  
6 maximum sign area for a monument sign in a  
7 business district from 64 square feet to  
8 107 square feet.

9 The property is zoned B-3, General  
10 Business District, and is located at the  
11 northeast corner of State Route 47 Waterpark Way  
12 intersection.

13 Mr. Ratos, would you please --

14 MR. RATOS: Sure.

15 CHAIRMAN OLSON: -- present your memo  
16 for PZC 2019-16, United City of Yorkville  
17 International Code adoption?

18 MR. RATOS: Absolutely. We are looking  
19 to update our International Building Code from  
20 the 2009 we are currently on, 2018 building code  
21 cycle, which incorporates all the codes Mr. Olson  
22 stated.

23 In addition to that, we've also made  
24 amendments to the codes that keep it in spirit

1 with our traditions in the area here and our  
2 existing amendments, and also the amendments of  
3 Kendall County, Oswego, Montgomery, other  
4 communities that directly correlate with our  
5 community.

6 During the preparation of this code  
7 update, the City worked with the Building and  
8 Fire Code Academy, which is one of the -- which  
9 is the largest in Illinois outside consultant  
10 firm for building code matters.

11 We also worked with code officials  
12 from Oswego and the code official from Kendall  
13 County, because of the ration out there both  
14 updating the 2018 code, and we wanted to kind of  
15 stay in lock step with them, where they're going  
16 to be at.

17 The major amendment change made --  
18 we have requested be made to the code is the  
19 removal of fire sprinklers for residential  
20 homes.

21 While this has been -- I can't say  
22 it's -- the fire department is happy, the  
23 Bristol-Kendall Fire Department is happy we have  
24 amended this out, there are safeguards that are

1 in the code now that if you were to remove that  
2 standard, it increases the standard of  
3 construction of houses to make them more fire  
4 resistant and safer for first responders.

5 We would love to include it, but  
6 from what we've found from voters and things, it  
7 would push the price threshold of the homes in  
8 the area to where they sold the building  
9 exponentially, and also with the addition of the  
10 restrictions and requirements of new  
11 construction, we kind of feel that it would  
12 offset the not having fire suppression.

13 CHAIRMAN OLSON: Can you detail these?

14 MR. RATOS: Absolutely. When you don't  
15 have fire suppression, it requires if you have  
16 any engineered materials forming your floor  
17 joists, in the basement you have the sheet, 3/4  
18 inch structural sheet, fire retardant lines, or a  
19 fire retardant membrane, one of those, 1.5 hour,  
20 so drywall, fire tape, and that would be every  
21 penetration, nothing is allowed through that,  
22 because as we found in the past that these  
23 engineered products tend to burn pretty fast and  
24 they maintain structural support until they put

1 any weight on them, so that would be part of  
2 that.

3 Also, any structures built closer --  
4 if you don't have fire suppression, if you're  
5 closer to ten feet from the building line, you  
6 would have to actually do the bottom -- the  
7 course of your plywood would have to be  
8 fire-rated plywood, so instead of -- It increases  
9 all those thresholds, where if your -- Currently  
10 right now in our code, if you were to build a  
11 home and be nine foot off the property line, you  
12 could just put a standard window and standard  
13 plywood.

14 In the new code, it would actually  
15 require you'd have to have fire-rated plywood on  
16 the entire side of the building and your windows  
17 would have to be tempered and also treated to  
18 resist the damage, so maintaining that  
19 hour-and-a-half barrier.

20 There is also a requirement for a  
21 flame spread analysis of all the materials in the  
22 house and the interior finishes, so if anyone is  
23 familiar with the natural fiber wallpaper, that  
24 burns very, very well, so in today's code, we

1 don't have anything to address that.

2 If I go in a house and walk through  
3 and it's got the natural, you won't -- it would  
4 burn very easily.

5 CHAIRMAN OLSON: If the fire is -- or if  
6 the wallpaper is made of matchsticks?

7 MR. RATOS: Yeah. You know, bamboo  
8 fiber is one of the more popular ones now, and in  
9 the current code we address flame spread on a  
10 commercial aspect, we don't discuss it on  
11 residential.

12 This brings that entire discussion  
13 to residential in this new code if you don't have  
14 fire suppression, and on top of that, there is  
15 also a smoke spread index and it drops your  
16 amount of --

17 CHAIRMAN OLSON: I didn't know what that  
18 smoke spread index was.

19 MR. RATOS: It basically says that a  
20 material -- every material has -- it would have a  
21 flame spread and smoke spread index, so if you  
22 were to say, you know, burn a propylene carpet  
23 type material, it would release X amount --

24 CHAIRMAN OLSON: X amount of smoke? I

1 got you.

2 MR. RATOS: -- of cubic feet of smoke  
3 per however many yards of fabric you burn, and so  
4 on a commercial building, for example, you will  
5 see how a lot of times in hotels, you see the  
6 carpet -- hotels and hospitals, you'll see the  
7 carpet feels different on your feet and it looks  
8 different, that's the side that's treated to not  
9 have a high smoke spread.

10 CHAIRMAN OLSON: I got you.

11 MR. RATOS: It will smolder and die  
12 instead of actually combust. Residential carpet,  
13 it will just burn.

14 So for some reason if we get a  
15 builder come in and they want to, you know, use  
16 that high-end wallpaper and super high-end plush  
17 natural wool -- which does exist -- carpet, that  
18 has a super high flame spread and smoke index, we  
19 will say you can do it, but you're going to have  
20 to fire suppress it, so we will not have  
21 problems.

22 CHAIRMAN OLSON: So although we're not  
23 going all the way with the sprinklers, this is a  
24 significant upgrade to the fire suppression code.

1 MR. RATOS: Yes. Yes.

2 CHAIRMAN OLSON: Okay.

3 MR. RATOS: Like I said, it's the --

4 There is a lot of increased standards, and that's  
5 one of the issues with the current one right now,  
6 is they just assume that everyone would say okay,  
7 fire sprinklers are the way to go, when we found  
8 most communities are -- most communities around  
9 the country have amended that portion out and  
10 then pretty much left the code open for you can  
11 do whatever you wanted, you can do whatever you  
12 want as long as the code -- we amend it on fire  
13 suppression, so we have different thresholds on  
14 height and everything like that, and that was  
15 assumed everyone would be fire suppressed.

16 This does not assume that at all.  
17 If you amend it out, a whole new set of criterias  
18 come in.

19 CHAIRMAN OLSON: Sure. Are there any  
20 other highlights from the different International  
21 Code books we are picking up?

22 MR. RATOS: You know, there's been a lot  
23 of incremental changes over the years. We're  
24 three code cycles behind right now.

1 CHAIRMAN OLSON: 2007 or whatever.

2 MR. RATOS: We are 2008 right now and we  
3 are going to 2018.

4 Another one of the big areas they  
5 address clearly in the modern code compared to  
6 the one we are on is solar and different types of  
7 energy solutions.

8 For example, if you see houses and  
9 the rear of the house, the entire rear of the  
10 house, is covered with solar panels, that's not  
11 going to -- that's not going to be allowed under  
12 this new code section, not because of not wanting  
13 people to generate their own energy, it's not  
14 allowed because they have to allow at least three  
15 feet from the outside edge of the roof for a  
16 pathway for first responders, and they all have  
17 to have a clear path to the center of the roof as  
18 well. So it's just more of a design criteria.

19 What they found is that there is a  
20 fire and firefighters were trying to get up to  
21 the roof and there is nowhere to access the rear  
22 of the property.

23 In more extreme cases where they put  
24 up a 25-kilowatt system for the entire roof, they

1 can't access it at all, so how do they get up  
2 there and cut holes in the middle of the  
3 structure? They're tearing off solar panels and  
4 it doesn't work.

5                   There also -- It also clearly  
6 defines all the signage we need to have on all  
7 the assorted components. It sounds silly to say,  
8 but a really large red sticker on the disconnect  
9 box up on the eave of the roof, can't look down  
10 by where the electric panel is at. It can make  
11 all the difference for smoke, and smoke is  
12 flying, they've got their masks on, they might  
13 pull a disconnect and it could be the wrong one,  
14 assuming there's three or four right there.  
15 They're stickered now, but just a slower  
16 disconnect.

17                   In the new code it requires exact --  
18 the same stickers for everything, so that it's  
19 universal.

20                   MR. WILLIAMS: Question, Pete. Current  
21 existing structures, those won't be grandfathered  
22 in, correct? Those will have to be updated to  
23 the code?

24                   MR. RATOS: No, those will stay the way

1 they are.

2 MR. WILLIAMS: Oh, okay. Because I know  
3 there could be a number where solar panels just  
4 cover the whole back of the roof, so I just  
5 wanted to see if that would be --

6 MR. RATOS: Those will all be -- those  
7 are all grandfathered in as of now. The only way  
8 they would have to come to code is if you were  
9 to -- basically have to remodel 51 percent or  
10 greater of the structure, and then even that is  
11 subject to -- the aspect of the code also says  
12 structure by level, so if you were to say if you  
13 had a -- God forbid something happened to the  
14 rear of your house, you would have to come up  
15 with 51 percent of the structure, first floor  
16 ranch is gone, we are not to going make you  
17 update the entire basement to code as well  
18 because that's not the same level.

19 MR. WILLIAMS: Gotcha. Thank you.

20 CHAIRMAN OLSON: Anything else, Pete?

21 MR. RATOS: Just one more thing is  
22 Property Maintenance Code, we have adjusted that  
23 a little bit, and the biggest section we have  
24 added is dead trees.

1 Right now we currently have  
2 restrictions and ability to issue fines and  
3 citations or citations to bring a hearing for  
4 emerald ash borer and ash or elm trees.

5 You have a new section about trees  
6 in the Property Maintenance Code because we found  
7 that as time goes on, we all know different types  
8 of arbor diseases and things affect trees, oak  
9 blight, the blaze, the disease is that's hitting  
10 a lot of the varieties now, it ends up leaving a  
11 lot of dead trees in the community.

12 While we understand that it's not --  
13 it's expensive to remove the trees, we would like  
14 to be able to have a way, a mechanism, to try to  
15 get enforcement on that because even though it's  
16 on your property, your property abuts a neighbor,  
17 neighbor's house has little kids running around,  
18 some of these trees can be in excess of 100,  
19 150 feet height. If they fall, they're not  
20 necessarily going to fall on your own property.

21 CHAIRMAN OLSON: Is there anyone --  
22 Anything else?

23 MR. RATOS: That's fine.

24 CHAIRMAN OLSON: Thank you. Is there

1 anyone who wishes to speak in favor of their  
2 request tonight?

3 (No response.)

4 CHAIRMAN OLSON: Is there anyone who  
5 wishes to speak in opposition of their request  
6 tonight?

7 (No response.)

8 CHAIRMAN OLSON: Is there any other  
9 questions for Pete right now?

10 (No response.)

11 CHAIRMAN OLSON: All right. Is the  
12 petitioner for PZC 2019-19 present and prepared  
13 to make their presentation of the proposed  
14 request?

15 LYMAN TIEMAN,  
16 having been first duly sworn, testified from the  
17 podium as follows:

18 MR. TIEMAN: Good evening, my name is  
19 Lyman Tieman. I am the attorney for Len McEnery,  
20 and Len is the sole member and manager of Lenny's  
21 Gas N Wash Yorkville, LLC, that was set up  
22 specifically for the purpose of acquiring  
23 5.04 acres of property on the northeast corner of  
24 Waterpark Way and Route 47.

1           The property that we are  
2     acquiring -- We are under contract currently.  
3     The property that we are acquiring is from the  
4     Betty O'Keefe Limited Family Partnership, which  
5     is the owner of the entire tract, which is  
6     currently 72 acres.

7           What we're looking to do -- We filed  
8     several applications with Yorkville. What we're  
9     looking to do is come in and obtain a special use  
10    permit from the City of Yorkville to allow for a  
11    gas station, convenience store, car wash, to  
12    operate on that corner.

13          We've also filed a petition for a  
14    plat of subdivision to take the piece of  
15    property that we are acquiring, break that into  
16    two lots.

17          Lot 1 would be our property at  
18    5.04 acres, Lot 2 would be a right-of-way  
19    dedication, 55 feet, to the Illinois Department  
20    of Transportation that fronts on 47, and we have  
21    made an application for a sign variance, not to  
22    vary the height or anything of that nature, but  
23    to vary the square footage of the sign from  
24    64 feet to I think it's 107 square feet because

1 of the setback from the corner to allow a little  
2 bit more readable in light of the fact that there  
3 will be a 55-foot dedication to the Illinois  
4 Department of Transportation, and to provide  
5 adequate area on the monument sign to allow for  
6 the E85 fueling as well as the diesel fueling and  
7 the car fueling and any other advertisements that  
8 we have for the operation within the convenience  
9 store.

10 The convenience store would be  
11 7,000 square feet. We are intending to have two  
12 food vendors within the convenience store. One  
13 is for certain, which is Dunkin Donuts; the other  
14 one is still kind of up in the air, somewhere  
15 between a Pop's roast beef and a taco facility  
16 within the convenient store.

17 We have segregated the car fueling  
18 more in the front of the property from the diesel  
19 fueling, more off to the side and rear of the  
20 property.

21 We are currently in contact with the  
22 Illinois Department of Transportation to obtain  
23 approval for a right-in/right-out on 47.

24 You know, we've met with Krysti,

1 we've met with Jason, we've met with the Economic  
2 Development Committee, and we've gone through the  
3 stages up until now.

4 We have attempted all throughout the  
5 course of the process to refine our site plan to  
6 bring it into compliance with signage and  
7 landscaping and other requirements, setbacks,  
8 other bulk requirements of the City of Yorkville.

9 I have with me tonight, if you have  
10 any specific questions, or they can give you a  
11 presentation, but I've brought with me this  
12 evening Kevin McEnery, who is the brother of the  
13 owner, Len McEnery, and he is representing  
14 ownership.

15 We also have Brian Hertz, who is our  
16 civil engineer from MG2A & Associates in  
17 Manhattan. We also have Scott Pritchett with  
18 Arsa Associates, who is our architect on the  
19 project, and we have Greg Galgan, who is going to  
20 lead up the construction phase of the project.

21 If we are able to move this project  
22 forward, we would like to be in a position to  
23 break ground and begin construction immediately  
24 after approval by the City Council, hopefully to

1 get far enough along so that we don't get held  
2 back by the winter weather that I think we're all  
3 going to see at some point in time.

4 We are hoping to close on the  
5 property somewhere around the 13th or the 15th of  
6 September and begin construction immediately,  
7 unless the seller would give us permission to  
8 begin construction a little bit early, and we're  
9 working on that right now, trying to make contact  
10 with the seller to accomplish that.

11 We think this will be a good project  
12 for the City. It's certainly I think compatible  
13 with what exists there currently. We've got the  
14 waterpark basically to the east and parking lot  
15 for the waterpark to the south of us.

16 Our property is currently zoned B-3,  
17 the 72 acres is zoned B-3. The property to the  
18 east and south of us -- properties to the east  
19 and south -- east and south are currently zoned  
20 B-3, and the property across 47 is zoned R-4,  
21 which my understanding is that was zoned a while  
22 back for a residential subdivision that so far  
23 really hasn't taken root.

24 So we believe that we're going to be

1 compatible with all of the existing zoning and  
2 potential future uses in the area, and we are  
3 excited. We want to be in the City of Yorkville  
4 and we want to move this project forward as  
5 quickly as we can.

6 If you have any questions, we'd be  
7 happy to address them.

8 CHAIRMAN OLSON: We'll get through the  
9 questions and comments and I'll probably circle  
10 back for additional questions once we get back to  
11 talk about that.

12 Is there anyone present who wishes  
13 to speak in favor of the request? Please state  
14 your name.

15 LYNN DUBAJIC,  
16 having been first duly sworn, testified from the  
17 podium as follows:

18 MS. DUBAJIC: I'm Lynn Dubajic and I am  
19 Economic Development Coordinator for the City of  
20 Yorkville.

21 I've had the pleasure of working  
22 with this team for a number of months now and I  
23 just wanted to give you a couple highlights on  
24 the project from my perspective, from an economic

1 development perspective.

2 This is a great project for our  
3 community. It creates somewhere around 40 jobs  
4 and it is a need in the area.

5 We understand that many people --  
6 with the proximity to the waterpark, many people  
7 leave our waterpark, leave Yorkville, go north on  
8 47 and need to get supplies or put gas in their  
9 car and they leave our community and they drive  
10 outside of our community to make these  
11 transactions.

12 It's an area that was identified a  
13 while ago and brought to our attention, my  
14 attention, as a high priority to attract  
15 something like this, so it was a priority for our  
16 community.

17 Also, originally you may remember  
18 this company had been working with them at a  
19 property on 34. At that time they were going to  
20 do a convenience -- a C store that was only at  
21 4800 square feet, and this one is now  
22 7,000 square feet, so there is much more that  
23 they are bringing to this site. It allows them  
24 to be able to do so, so --

1 CHAIRMAN OLSON: For reference,  
2 7,000 square feet is like half the size of a  
3 Walgreens, so --

4 MS. DUBAJIC: Yes.

5 CHAIRMAN OLSON: -- it's a nice sized  
6 building.

7 MS. DUBAJIC: It's a very nice sized  
8 building. And adding, you know, not only the  
9 Dunkin Donuts, but the other food choice is a  
10 nice food amenity near the waterpark.

11 The other thing that I wanted to  
12 mention is the remainder of that property that is  
13 owned by the O'Keefe family is still very large,  
14 and we are also very hopeful -- I talked with the  
15 O'Keefe family today.

16 We are also very hopeful that this  
17 will act as another catalyst to maybe get some  
18 other things happening up there, so very key to  
19 future planning, and I'm very excited about the  
20 project as well.

21 And also, I know that they spoke  
22 about getting started very quickly because they  
23 want to get started before the weather gets cold  
24 and unable to work, and it is their goal to

1 actually open in the spring and be open before  
2 the waterpark opens next May, so -- which will be  
3 a wonderful thing because it will allow that to  
4 be seamless, so when the waterpark opens, it will  
5 be there and operational.

6 Thank you.

7 CHAIRMAN OLSON: Thank you. Does anyone  
8 else wish to speak in favor of the request?

9 (No response.)

10 CHAIRMAN OLSON: Does anyone wish to  
11 speak in opposition to the request?

12 (No response.)

13 CHAIRMAN OLSON: Seeing as -- Well,  
14 actually, are there any other questions from the  
15 commissioners right now? Otherwise, we can go  
16 over it -- Okay.

17 MR. MARCUM: You've got this letter from  
18 the landscape guy who apparently didn't like the  
19 original plan. Has that all been taken care of?

20 MR. ENGBERG: Oh, the landscape plan,  
21 yeah, it's -- everything will be a condition of  
22 the special use. Any comments within the  
23 landscape plan or EEI will be part of the special  
24 use to rectify that situation before anything

1 gets going.

2 MR. MARCUM: Yeah, because I picked up  
3 he didn't like it.

4 MR. ENGBERG: Yes.

5 MR. MARCUM: The original plan. I am  
6 very astute that way.

7 MR. ENGBERG: Yes.

8 MR. MARCUM: And the driveway turning  
9 radius has been taken care of and the lighting  
10 has been --

11 MR. ENGBERG: So the original plans that  
12 were brought in during plan council have been  
13 adapted and changed to the most current version  
14 that are attached. The driveway has been moved  
15 back, some of the landscaping they are changing.

16 At the Economic Development  
17 Committee some other comments were made about the  
18 landscaping along 47 that they added in, just  
19 that strip, that 55-foot strip, they had some  
20 trees in there.

21 A comment was made that those are  
22 going to get ripped out when IDOT takes over,  
23 could you try and get them onto your property on  
24 that front, so we're not just putting in trees

1 and ripping them out, so those comments will be  
2 all conditional on the special use.

3 CHAIRMAN OLSON: All right. It is a  
4 special use, we need to -- okay.

5 Would the petitioner like to have  
6 your responses to the standards which you  
7 submitted previously entered in the public  
8 record?

9 MR. TIEMAN: No.

10 MS. NOBLE: We would recommend that you  
11 enter your responses to the standards for special  
12 use into the record.

13 MR. LYMAN: Oh, I'm sorry. I'm sorry, I  
14 misunderstood. Yes, we would ask that you adopt  
15 the standards that we had indicated with our  
16 application for special use.

17 MS. NOBLE: Thank you.

18 CHAIRMAN OLSON: Okay. Thank you. All  
19 right.

20 Since all public testimony regarding  
21 these petitions has been taken, may I have a  
22 motion to close the taking of testimony in this  
23 public hearing, please?

24 MR. MARCUM: So moved.

1 MR. WILLIAMS: Second.

2 CHAIRMAN OLSON: Roll call vote on the

3 motion, please.

4 MS. YOUNG: Yes. Olson.

5 CHAIRMAN OLSON: Yes.

6 MS. YOUNG: Williams.

7 MR. WILLIAMS: Yes.

8 MS. YOUNG: Hyett.

9 MR. HYETT: Yes.

10 MS. YOUNG: Marcum.

11 MR. MARCUM: Yes.

12 CHAIRMAN OLSON: The public hearing

13 portion in tonight's meeting is closed.

14 (Which were all the

15 proceedings had in the

16 public hearing portion

17 of the meeting.)

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1 STATE OF ILLINOIS )  
2 ) SS.  
3 COUNTY OF LASALLE )

4 I, Christine M. Vitosh, a Certified Shorthand  
5 Reporter, do hereby certify that I transcribed  
6 the proceedings from the audio recording taken at  
7 the meeting and that the foregoing, Pages 1  
8 through 29, inclusive, is a true, correct and  
9 complete computer-generated transcript of the  
10 proceedings had at the time and place aforesaid.

11 I further certify that my certificate annexed  
12 hereto applies to the original transcript and  
13 copies thereof, signed and certified under my  
14 hand only. I assume no responsibility for the  
15 accuracy of any reproduced copies not made under  
16 my control or direction.

17 As certification thereof, I have hereunto set  
18 my hand this 28th day of August, A.D., 2019.

19 \_\_\_\_\_  
20 Christine M. Vitosh, CSR  
21 Illinois CSR No. 084-002883  
22  
23  
24

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United City of Yorkville  
 800 Game Farm Road  
 Yorkville, Illinois, 60560  
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 Website: [www.yorkville.il.us](http://www.yorkville.il.us)

# APPLICATION FOR SPECIAL USE

## SPECIAL USE STANDARDS

PLEASE STATE HOW THE ESTABLISHMENT, MAINTENANCE OR OPERATION OF THE SPECIAL USE WILL NOT BE UNREASONABLY DETRIMENTAL TO OR ENDANGER THE PUBLIC HEALTH, SAFETY, MORALS, COMFORT OR GENERAL WELFARE:

APPLICANT PROPOSES THE DEVELOPMENT OF A GASOLINE SERVICE STATION WITH CONVENIENCE STORE AND ANCILLARY CAR WASH. THE SUBJECT PROPERTY IS CURRENTLY ZONED B-3 AND APPLICANT'S USE IS A DESIGNATED SPECIAL USE IN THE B-3 ZONING DISTRICT. THE SUBJECT PROPERTY IS BORDERED ON THE NORTH, EAST AND SOUTH BY EXISTING B-3 ZONED PROPERTY. THE PROPERTY IS BORDERED ON THE WEST SIDE BY R-4 ZONED PROPERTY. ALL SURROUNDING PROPERTIES ARE CURRENTLY BEING FARMED. THE PROPERTY WILL BE DEVELOPED IN SUCH A FASHION AS TO MINIMIZE THE IMPACT ON NEIGHBORING PROPERTIES WITH RESPECT TO NOISE, LIGHT AND TRAFFIC FLOW AND WILL BE IN FULL CONFORMITY WITH EXISTING STATE AND CITY LAWS, ORDINANCES AND DESIGN STANDARDS. NO VARIATIONS FROM THE ZONING ORDINANCE ARE ANTICIPATED. NO OVERNIGHT TRUCK PARKING WILL BE PERMITTED ON THE PROPERTY.

PLEASE STATE HOW THE SPECIAL USE WILL NOT BE INJURIOUS TO THE USE AND ENJOYMENT OF OTHER PROPERTY IN THE IMMEDIATE VICINITY FOR THE PURPOSE ALREADY PERMITTED, NOR SUBSTANTIALLY DIMINISH AND IMPAIR PROPERTY VALUES WITHIN THE NEIGHBORHOOD:

SUBJECT PROPERTY WILL BE DEVELOPED WITH DIRECT INGRESS AND EGRESS FROM AND TO WATERPARK WAY AND ROUTE 47 WITH LITTLE OR NO IMPACT UPON NEIGHBORING PROPERTIES. APPLICANT IS MAKING A SUBSTANTIAL MONETARY INVESTMENT IN THIS PROJECT AND ALL FACILITIES WILL BE DESIGNED AND CONSTRUCTED TO BE COMPATABLE WITH THE EXISTING AND PROPOSED USES OF SURROUNDING PROPERTIES.

PLEASE STATE HOW THE ESTABLISHMENT OF THE SPECIAL USE WILL NOT IMPEDE THE NORMAL AND ORDERLY DEVELOPMENT AND IMPROVEMENT OF SURROUNDING PROPERTY FOR USES PERMITTED IN THE DISTRICT:

ALL SURROUNDING PROPERTIES ARE CURRENTLY VACANT AND ARE BEING FARMED. PROPERTIES TO THE NORTH, SOUTH AND EAST ARE ZONED B-3 (SAME AS SUBJECT PROPERTY). PROPERTY ON THE WEST SIDE OF RTE. 47 IS ZONED R-4 MULTIFAMILY. BECAUSE OF THE PROPOSED INGRESS AND EGRESS TO WATERPARK WAY AND RTE. 47, THE DEVELOPMENT OF THE SUBJECT PROPERTY WILL HAVE NO DIRECT IMPACT ON SURROUNDING PROPERTIES.

PLEASE STATE HOW ADEQUATE UTILITIES, ACCESS ROADS, DRAINAGE OR OTHER NECESSARY FACILITIES HAVE BEEN OR ARE BEING PROVIDED:

ACCESS IS PROPOSED IN ACCORDANCE WITH THE ATTACHED SITE PLAN FROM ROUTE 47 AND WATERPARK WAY. UTILITIES ARE CURRENTLY AVAILABLE IN CLOSE PROXIMITY TO THE SITE.



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# APPLICATION FOR SPECIAL USE

## SPECIAL USE STANDARDS

PLEASE STATE HOW ADEQUATE MEASURES HAVE BEEN OR WILL BE TAKEN TO PROVIDE INGRESS OR EGRESS SO DESIGNED AS TO MINIMIZE TRAFFIC CONGESTION IN THE PUBLIC STREETS:

A RIGHT-IN RIGHT-OUT ACCESS WILL BE PROVIDED TO IDOT STANDARDS FOR ACCESS TO ROUTE 47. TWO FULL ACCESS POINTS WILL BE PROVIDED TO WATERPARK WAY ALL IN ACCORDANCE WITH STATE AND CITY DESIGN STANDARDS AS PROPOSED ON THE ATTACHED SITE PLAN.

PLEASE STATE HOW THE SPECIAL USE SHALL IN ALL OTHER RESPECTS CONFORM TO THE APPLICABLE REGULATIONS OF THE DISTRICT IN WHICH IT IS LOCATED, EXCEPT AS SUCH REGULATIONS MAY IN EACH INSTANCE BE MODIFIED BY THE CITY COUNCIL PURSUANT TO THE RECOMMENDATIONS OF THE PLANNING AND ZONING COMMISSION: A GASOLINE SERVICE STATION IS DESIGNATED AS A SPECIAL USE IN THE B-3 ZONING DISTRICT. NO VARIANCES TO THE ZONING ORDINANCE ARE BEING REQUESTED BY THE APPLICANT.

## AGREEMENT

I VERIFY THAT ALL THE INFORMATION IN THIS APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE. I UNDERSTAND AND ACCEPT ALL REQUIREMENTS AND FEES AS OUTLINED AS WELL AS ANY INCURRED ADMINISTRATIVE AND PLANNING CONSULTANT FEES WHICH MUST BE CURRENT BEFORE THIS PROJECT CAN PROCEED TO THE NEXT SCHEDULED COMMITTEE MEETING.

I UNDERSTAND ALL OF THE INFORMATION PRESENTED IN THIS DOCUMENT AND UNDERSTAND THAT IF AN APPLICATION BECOMES DORMANT IT IS THROUGH MY OWN FAULT AND I MUST THEREFORE FOLLOW THE REQUIREMENTS OUTLINED ABOVE.

Leonard McEnery  
PETITIONER SIGNATURE LEONARD MCENERY

DATE MAY 28, 2019

OWNER HEREBY AUTHORIZES THE PETITIONER TO PURSUE THE APPROPRIATE ENTITLEMENTS ON THE PROPERTY.

OWNER SIGNATURE O'KEEFE FAMILY LIMITED PARTNERSHIP, BY  
BETTY O'KEEFE PROPERTIES, LLC, BY  
KIM W O'KEEFE, SOLE MEMBER

DATE

**THIS APPLICATION MUST BE  
NOTARIZED PLEASE NOTARIZE HERE:**



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Yorkville, Illinois, 60560  
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# APPLICATION FOR SPECIAL USE

## SPECIAL USE STANDARDS

PLEASE STATE HOW ADEQUATE MEASURES HAVE BEEN OR WILL BE TAKEN TO PROVIDE INGRESS OR EGRESS SO DESIGNED AS TO MINIMIZE TRAFFIC CONGESTION IN THE PUBLIC STREETS:

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PLEASE STATE HOW THE SPECIAL USE SHALL IN ALL OTHER RESPECTS CONFORM TO THE APPLICABLE REGULATIONS OF THE DISTRICT IN WHICH IT IS LOCATED, EXCEPT AS SUCH REGULATIONS MAY IN EACH INSTANCE BE MODIFIED BY THE CITY COUNCIL PURSUANT TO THE RECOMMENDATIONS OF THE PLANNING AND ZONING COMMISSION: A GASOLINE SERVICE STATION IS DESIGNATED AS A SPECIAL USE IN THE B-3 ZONING DISTRICT. NO VARIANCES TO THE ZONING ORDINANCE ARE BEING REQUESTED BY THE APPLICANT.

## AGREEMENT

I VERIFY THAT ALL THE INFORMATION IN THIS APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE. I UNDERSTAND AND ACCEPT ALL REQUIREMENTS AND FEES AS OUTLINED AS WELL AS ANY INCURRED ADMINISTRATIVE AND PLANNING CONSULTANT FEES WHICH MUST BE CURRENT BEFORE THIS PROJECT CAN PROCEED TO THE NEXT SCHEDULED COMMITTEE MEETING.

I UNDERSTAND ALL OF THE INFORMATION PRESENTED IN THIS DOCUMENT AND UNDERSTAND THAT IF AN APPLICATION BECOMES DORMANT IT IS THROUGH MY OWN FAULT AND I MUST THEREFORE FOLLOW THE REQUIREMENTS OUTLINED ABOVE.

PETITIONER SIGNATURE LEONARD MCENERY

DATE MAY 28, 2019

OWNER HEREBY AUTHORIZES THE PETITIONER TO PURSUE THE APPROPRIATE ENTITLEMENTS ON THE PROPERTY.

OWNER SIGNATURE *K. W. O'Keefe*  
O'KEEFE FAMILY LIMITED PARTNERSHIP, BY  
BETTY O'KEEFE PROPERTIES, LLC, BY  
KIM W O'KEEFE, SOLE MEMBER

DATE

*5/29/19*

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# APPLICATION FOR SIGN VARIANCE

## SIGN VARIANCE STANDARDS

- |  |   |  |
|--|---|--|
| WAS THE SIGN ERECTED LEGALLY WITH A SIGN PERMIT?                                       | <input type="checkbox"/> YES            | <input checked="" type="checkbox"/> NO |
| ARE THERE LIMITED AVAILABLE LOCATIONS FOR SIGNAGE ON THE PROPERTY?                     | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO            |
| DOES THE SIGN FACE A STREET WITH A FORTY (40) MILE PER HOUR OR HIGHER SPEED LIMIT?     | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO            |
| IS THE SIGN ON A STREET WITH TWENTY THOUSAND (20,000) OR HIGHER VEHICLE TRIPS PER DAY? | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO            |
| IS THE SIGN ON A WALL FACING A PUBLIC RIGHT-OF-WAY WITHOUT A PUBLIC ENTRANCE?          | <input type="checkbox"/> YES            | <input checked="" type="checkbox"/> NO |
| WOULD THE SIGN BE BLOCKED BY EXISTING OR REQUIRED LANDSCAPING?                         | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO            |

PLEASE STATE THE VARIANCE REQUESTED AND THE CITY ORDINANCE INCLUDING THE SECTION NUMBERS TO BE VARIED:

Requesting a square footage variance regarding section 10-20-9: A  
The variance would allow for (1) 107 square foot monument sign.

PLEASE STATE HOW THE PROPOSED VARIATION WILL NOT IMPAIR AN ADEQUATE SUPPLY OF LIGHT AND AIR TO ADJACENT PROPERTY, OR SUBSTANTIALLY INCREASE THE CONGESTION IN THE PUBLIC STREETS, OR INCREASE THE DANGER TO THE PUBLIC SAFETY, OR SUBSTANTIALLY DIMINISH OR IMPAIR PROPERTY VALUES WITHIN THE NEIGHBORHOOD:

The proposed variation will not impair an adequate supply of light and air to adjacent properties. The variation will not increase congestion in the streets, nor will it increase the danger to the public. The variation may increase property values within the surrounding area.

PLEASE CONFIRM THE PROPOSED VARIATION IS CONSISTENT WITH THE OFFICIAL COMPREHENSIVE PLAN AND OTHER DEVELOPMENT STANDARDS AND POLICIES OF THE CITY.

The proposed variation & monument sign is consistent with the official comprehensive plan and other standards & policies of the city.



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# APPLICATION FOR SIGN VARIANCE

## SIGN VARIANCE STANDARDS

PLEASE DESCRIBE THE COST TO THE PETITIONER OF COMPLYING WITH THE SIGN ORDINANCE REQUIREMENTS:

This Gas station must communicate several items, like 3 gas prices units, the name of the station, any food service offered within, and any special items available inside. If the sign were to conform, the square footage would be too small to properly display all items.

IF THERE ARE ANY UNIQUE PHYSICAL CHARACTERISTICS OF THE PROPERTY, PLEASE DESCRIBE THEM BELOW:

The property has a 55' R.O.W. dedication along Rt.47 which will force the sign a good distance away from the main road.

PLEASE STATE HOW THE GRANTING OF THE VARIATION WILL NOT BE DETRIMENTAL TO THE PUBLIC WELFARE OR INJURIOUS TO OTHER PROPERTY OR IMPROVEMENTS IN THE NEIGHBORHOOD IN WHICH THE PROPERTY IS LOCATED:

Granting the variance will enhance public welfare, + neighboring properties.

PLEASE STATE HOW THE PARTICULAR SURROUNDINGS, SHAPE OR TOPOGRAPHICAL CONDITIONS OF THE SPECIFIC PROPERTY INVOLVED, A PARTICULAR HARDSHIP TO THE OWNER WOULD RESULT, AS DISTINGUISHED FROM A MERE INCONVENIENCE, IF THE STRICT LETTER OF REGULATIONS WAS CARRIED OUT:

A hardship would result from strict regulation as in not being able to effectively display the appropriate information customers need to know.



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# APPLICATION FOR SIGN VARIANCE

## SIGN VARIANCE STANDARDS

PLEASE STATE HOW THE CONDITIONS UPON WHICH THE APPLICATION FOR A VARIATION IS BASED ARE UNIQUE TO THE PROPERTY FOR WHICH THE VARIATION IS SOUGHT AND ARE NOT APPLICABLE, GENERALLY, TO OTHER PROPERTY WITHIN THE SAME ZONING CLASSIFICATION:

A gas station must display gas prices in an effective manner, along with the name of the station, and any addition tenants inside.

PLEASE STATE HOW THE ALLEGED DIFFICULTY OR HARDSHIP IS CAUSED BY THIS TITLE AND HAS NOT BEEN CREATED BY ANY PERSON PRESENTLY HAVING AN INTEREST IN THE PROPERTY:

The hardship is caused by the ordinance as stated, and has not been created by any person having an interest in the property.

## AGREEMENT

I VERIFY THAT ALL THE INFORMATION IN THIS APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE. I UNDERSTAND AND ACCEPT ALL REQUIREMENTS AND FEES AS OUTLINED AS WELL AS ANY INCURRED ADMINISTRATIVE AND PLANNING CONSULTANT FEES WHICH MUST BE CURRENT BEFORE THIS PROJECT CAN PROCEED TO THE NEXT SCHEDULED COMMITTEE MEETING

I UNDERSTAND ALL OF THE INFORMATION PRESENTED IN THIS DOCUMENT AND UNDERSTAND THAT IF AN APPLICATION BECOMES DORMANT IT IS THROUGH MY OWN FAULT AND I MUST THEREFORE FOLLOW THE REQUIREMENTS OUTLINED ABOVE.

Leonard McEnery  
PETITIONER SIGNATURE

June 14, 2019  
DATE

OWNER HEREBY AUTHORIZES THE PETITIONER TO PURSUE THE APPROPRIATE ENTITLEMENTS ON THE PROPERTY.

Betty O'Keefe Family Limited Partnership

By: B. W. O'Keefe  
OWNER SIGNATURE

June 17, 2019  
DATE

THIS APPLICATION MUST BE  
NOTARIZED PLEASE NOTARIZE HERE:

Kimberly T. Farbak

